

In re **Ottokar Wacław Cardew**  
 Debtor(s)  
 Case Number: \_\_\_\_\_  
 (If known)

According to the information required to be entered on this statement  
 (check one box as directed in Part I, III, or VI of this statement):

- ☐ The presumption arises.  
☒ The presumption does not arise.  
☐ The presumption is temporarily inapplicable.

## CHAPTER 7 STATEMENT OF CURRENT MONTHLY INCOME AND MEANS-TEST CALCULATION

In addition to Schedules I and J, this statement must be completed by every individual chapter 7 debtor, whether or not filing jointly. Unless the exclusion in Line 1C applies, joint debtors may complete a single statement. If the exclusion in Line 1C applies, each joint filer must complete a separate statement.

### Part I. MILITARY AND NON-CONSUMER DEBTORS

|    |  |
|----|--|
| 1A | <p><b>Disabled Veterans.</b> If you are a disabled veteran described in the Declaration in this Part IA, (1) check the box at the beginning of the Declaration, (2) check the box for "The presumption does not arise" at the top of this statement, and (3) complete the verification in Part VIII. Do not complete any of the remaining parts of this statement.</p> <p><input type="checkbox"/> <b>Declaration of Disabled Veteran.</b> By checking this box, I declare under penalty of perjury that I am a disabled veteran (as defined in 38 U.S.C. § 3741(1)) whose indebtedness occurred primarily during a period in which I was on active duty (as defined in 10 U.S.C. § 101(d)(1)) or while I was performing a homeland defense activity (as defined in 32 U.S.C. § 901(1)).</p>   |
| 1B | <p><b>Non-consumer Debtors.</b> If your debts are not primarily consumer debts, check the box below and complete the verification in Part VIII. Do not complete any of the remaining parts of this statement.</p> <p><input type="checkbox"/> <b>Declaration of non-consumer debts.</b> By checking this box, I declare that my debts are not primarily consumer debts.</p>  |
| 1C | <p><b>Reservists and National Guard Members; active duty or homeland defense activity.</b> Members of a reserve component of the Armed Forces and members of the National Guard who were called to active duty (as defined in 10 U.S.C. § 101(d)(1)) after September 11, 2001, for a period of at least 90 days, or who have performed homeland defense activity (as defined in 32 U.S.C. § 901(1)) for a period of at least 90 days, are excluded from all forms of means testing during the time of active duty or homeland defense activity and for 540 days thereafter (the "exclusion period"). If you qualify for this temporary exclusion, (1) check the appropriate boxes and complete any required information in the Declaration of Reservists and National Guard Members below, (2) check the box for "The presumption is temporarily inapplicable" at the top of this statement, and (3) complete the verification in Part VIII. <b>During your exclusion period you are not required to complete the balance of this form, but you must complete the form no later than 14 days after the date on which your exclusion period ends, unless the time for filing a motion raising the means test presumption expires in your case before your exclusion period ends.</b></p> <p><input type="checkbox"/> <b>Declaration of Reservists and National Guard Members.</b> By checking this box and making the appropriate entries below, I declare that I am eligible for a temporary exclusion from means testing because, as a member of a reserve component of the Armed Forces or the National Guard</p> <div style="margin-left: 40px;"> <p>a. <input type="checkbox"/> I was called to active duty after September 11, 2001, for a period of at least 90 days and</p> <div style="margin-left: 40px;"> <input type="checkbox"/> I remain on active duty /or/<br/> <input type="checkbox"/> I was released from active duty on _____, which is less than 540 days before this bankruptcy case was filed;         </div> <p style="text-align: center; margin: 10px 0;">OR</p> <p>b. <input type="checkbox"/> I am performing homeland defense activity for a period of at least 90 days /or/<br/> <input type="checkbox"/> I performed homeland defense activity for a period of at least 90 days, terminating on _____, which is less than 540 days before this bankruptcy case was filed.</p> </div> |

**Part II. CALCULATION OF MONTHLY INCOME FOR § 707(b)(7) EXCLUSION**

| 2   | <b>Marital/filing status.</b> Check the box that applies and complete the balance of this part of this statement as directed.<br>a. <input checked="" type="checkbox"/> Unmarried. <b>Complete only Column A ("Debtor's Income") for Lines 3-11.</b><br>b. <input type="checkbox"/> Married, not filing jointly, with declaration of separate households. By checking this box, debtor declares under penalty of perjury: "My spouse and I are legally separated under applicable non-bankruptcy law or my spouse and I are living apart other than for the purpose of evading the requirements of § 707(b)(2)(A) of the Bankruptcy Code." <b>Complete only column A ("Debtor's Income") for Lines 3-11.</b><br>c. <input type="checkbox"/> Married, not filing jointly, without the declaration of separate households set out in Line 2.b above. <b>Complete both Column A ("Debtor's Income") and Column B ("Spouse's Income") for Lines 3-11.</b><br>d. <input type="checkbox"/> Married, filing jointly. <b>Complete both Column A ("Debtor's Income") and Column B ("Spouse's Income") for Lines 3-11.</b> |           |   |   |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
|---|--|-----------|---|---|-----------|-------------------|--------------------|----|--|------------------|----|--|-----------------------------|--|--------------------|----|
|   | All figures must reflect average monthly income received from all sources, derived during the six calendar months prior to filing the bankruptcy case, ending on the last day of the month before the filing. If the amount of monthly income varied during the six months, you must divide the six-month total by six, and enter the result on the appropriate line.  |           | <b>Column A</b><br><b>Debtor's Income</b>                                       | <b>Column B</b><br><b>Spouse's Income</b> |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| 3   | <b>Gross wages, salary, tips, bonuses, overtime, commissions.</b>  |           | \$ <b>0.00</b>  | \$  |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| 4   | <b>Income from the operation of a business, profession or farm.</b> Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 4. If you operate more than one business, profession or farm, enter aggregate numbers and provide details on an attachment. Do not enter a number less than zero. <b>Do not include any part of the business expenses entered on Line b as a deduction in Part V.</b> <table border="1" style="width: 100%; margin-top: 5px;"> <thead> <tr> <th></th> <th style="text-align: center;">Debtor</th> <th style="text-align: center;">Spouse</th> </tr> </thead> <tbody> <tr> <td>a. Gross receipts</td> <td style="text-align: right;">\$ <b>1,531.00</b></td> <td style="text-align: right;">\$</td> </tr> <tr> <td>b. Ordinary and necessary business expenses</td> <td style="text-align: right;">\$ <b>264.00</b></td> <td style="text-align: right;">\$</td> </tr> <tr> <td>c. Business income</td> <td colspan="2">Subtract Line b from Line a</td> </tr> </tbody> </table>   |           |   | Debtor                                    | Spouse    | a. Gross receipts | \$ <b>1,531.00</b> | \$ | b. Ordinary and necessary business expenses  | \$ <b>264.00</b> | \$ | c. Business income                     | Subtract Line b from Line a |  | \$ <b>1,267.00</b> | \$ |
|   | Debtor   | Spouse    |   |   |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| a. Gross receipts   | \$ <b>1,531.00</b>   | \$        |   |   |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| b. Ordinary and necessary business expenses                                     | \$ <b>264.00</b>   | \$        |   |   |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| c. Business income  | Subtract Line b from Line a  |           |   |   |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| 5   | <b>Rents and other real property income.</b> Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 5. Do not enter a number less than zero. <b>Do not include any part of the operating expenses entered on Line b as a deduction in Part V.</b> <table border="1" style="width: 100%; margin-top: 5px;"> <thead> <tr> <th></th> <th style="text-align: center;">Debtor</th> <th style="text-align: center;">Spouse</th> </tr> </thead> <tbody> <tr> <td>a. Gross receipts</td> <td style="text-align: right;">\$ <b>0.00</b></td> <td style="text-align: right;">\$</td> </tr> <tr> <td>b. Ordinary and necessary operating expenses</td> <td style="text-align: right;">\$ <b>0.00</b></td> <td style="text-align: right;">\$</td> </tr> <tr> <td>c. Rent and other real property income</td> <td colspan="2">Subtract Line b from Line a</td> </tr> </tbody> </table>   |           |   | Debtor                                    | Spouse    | a. Gross receipts | \$ <b>0.00</b>     | \$ | b. Ordinary and necessary operating expenses | \$ <b>0.00</b>   | \$ | c. Rent and other real property income | Subtract Line b from Line a |  | \$ <b>0.00</b>     | \$ |
|   | Debtor   | Spouse    |   |   |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| a. Gross receipts   | \$ <b>0.00</b>   | \$        |   |   |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| b. Ordinary and necessary operating expenses                                    | \$ <b>0.00</b>   | \$        |   |   |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| c. Rent and other real property income  | Subtract Line b from Line a  |           |   |   |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| 6   | <b>Interest, dividends, and royalties.</b>   |           | \$ <b>0.00</b>  | \$  |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| 7   | <b>Pension and retirement income.</b>  |           | \$ <b>0.00</b>  | \$  |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| 8   | <b>Any amounts paid by another person or entity, on a regular basis, for the household expenses of the debtor or the debtor's dependents, including child support paid for that purpose.</b> Do not include alimony or separate maintenance payments or amounts paid by your spouse if Column B is completed.  |           | \$ <b>0.00</b>  | \$  |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| 9   | <b>Unemployment compensation.</b> Enter the amount in the appropriate column(s) of Line 9. However, if you contend that unemployment compensation received by you or your spouse was a benefit under the Social Security Act, do not list the amount of such compensation in Column A or B, but instead state the amount in the space below:<br><table border="1" style="width: 100%; margin-top: 5px;"> <tr> <td style="width: 35%;">Unemployment compensation claimed to be a benefit under the Social Security Act</td> <td style="width: 30%;">Debtor \$ <b>0.00</b></td> <td style="width: 35%;">Spouse \$</td> </tr> </table>  |           | Unemployment compensation claimed to be a benefit under the Social Security Act | Debtor \$ <b>0.00</b>                     | Spouse \$ | \$ <b>0.00</b>    | \$                 |    |  |                  |    |  |                             |  |                    |    |
| Unemployment compensation claimed to be a benefit under the Social Security Act | Debtor \$ <b>0.00</b>  | Spouse \$ |   |   |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| 10  | <b>Income from all other sources.</b> Specify source and amount. If necessary, list additional sources on a separate page. <b>Do not include alimony or separate maintenance payments paid by your spouse if Column B is completed, but include all other payments of alimony or separate maintenance.</b> Do not include any benefits received under the Social Security Act or payments received as a victim of a war crime, crime against humanity, or as a victim of international or domestic terrorism. <table border="1" style="width: 100%; margin-top: 5px;"> <thead> <tr> <th></th> <th style="text-align: center;">Debtor</th> <th style="text-align: center;">Spouse</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>b.</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">\$</td> </tr> </tbody> </table> Total and enter on Line 10  |           |   | Debtor                                    | Spouse    | a.                | \$                 | \$ | b.   | \$               | \$ | \$ <b>0.00</b>                         | \$                          |  |                    |    |
|   | Debtor   | Spouse    |   |   |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| a.  | \$   | \$        |   |   |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| b.  | \$   | \$        |   |   |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |
| 11  | <b>Subtotal of Current Monthly Income for § 707(b)(7).</b> Add Lines 3 thru 10 in Column A, and, if Column B is completed, add Lines 3 through 10 in Column B. Enter the total(s).   |           | \$ <b>1,267.00</b>  | \$  |           |                   |                    |    |  |                  |    |  |                             |  |                    |    |

|   |  |  |    |                     |
|---|--|--|----|---------------------|
| 12  | <b>Total Current Monthly Income for § 707(b)(7).</b> If Column B has been completed, add Line 11, Column A to Line 11, Column B, and enter the total. If Column B has not been completed, enter the amount from Line 11, Column A.   |  | \$ | <b>1,267.00</b>     |
| <b>Part III. APPLICATION OF § 707(b)(7) EXCLUSION</b> |  |  |    |                     |
| 13  | <b>Annualized Current Monthly Income for § 707(b)(7).</b> Multiply the amount from Line 12 by the number 12 and enter the result.  |  |    | \$ <b>15,204.00</b> |
| 14  | <b>Applicable median family income.</b> Enter the median family income for the applicable state and household size. (This information is available by family size at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)<br>a. Enter debtor's state of residence: <u>MI</u> b. Enter debtor's household size: <u>2</u>  |  |    | \$ <b>52,620.00</b> |
| 15  | <b>Application of Section 707(b)(7).</b> Check the applicable box and proceed as directed.<br><input checked="" type="checkbox"/> <b>The amount on Line 13 is less than or equal to the amount on Line 14.</b> Check the box for "The presumption does not arise" at the top of page 1 of this statement, and complete Part VIII; do not complete Parts IV, V, VI or VII.<br><input type="checkbox"/> <b>The amount on Line 13 is more than the amount on Line 14.</b> Complete the remaining parts of this statement. |  |    |                     |
| <b>Part VIII. VERIFICATION</b>                        |  |  |    |                     |
| 57  | I declare under penalty of perjury that the information provided in this statement is true and correct. <i>(If this is a joint case, both debtors must sign.)</i><br>Date: <u>February 26, 2010</u> Signature: <u>/s/ Ottokar Waclaw Cardew</u><br><b>Ottokar Waclaw Cardew</b><br><i>(Debtor)</i>   |  |    |                     |